

EDUCATIONAL EXAMINERS BOARD[282]

Adopted and Filed

Rule making related to rules review

The Board of Educational Examiners hereby amends Chapter 13, “Issuance of Teacher Licenses and Endorsements,” Chapter 15, “Special Education Support Personnel Authorizations,” Chapter 16, “Statements of Professional Recognition (SPR),” and Chapter 18, “Issuance of Administrator Licenses and Endorsements”; rescinds Chapter 21, “Conversion Information”; and amends Chapter 22, “Authorizations,” and Chapter 27, “Issuance of Professional Service Licenses,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 272.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 272.2(1)“a” and 272.28.

Purpose and Summary

The amendments address inconsistencies and unnecessary language identified during a review of the Board’s rules. These amendments clarify language regarding temporary permits and conditional licensure, eliminate redundant language regarding endorsements, and make other minor corrections.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on December 6, 2017, as **ARC 3471C**. A public hearing was held on December 27, 2017. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on January 11, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 282—Chapter 6.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on March 21, 2018.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 13.1(2) as follows:

13.1(2) Temporary permits. The executive director may issue a temporary permit to an applicant for any type of license, certification, or authorization issued by the board, after receipt of a fully completed application; determination that the applicant meets all applicable prerequisites for issuance of the license, certification, or authorization; and satisfactory evaluation of the Iowa criminal history background check ~~and registries and records check set forth in 13.1(1) “b” and “c.”~~ The temporary permit shall serve as evidence of the applicant’s authorization to hold a position in Iowa schools, pending the satisfactory completion of the national criminal history background check. The temporary permit shall expire upon issuance of the requested license, certification, or authorization or 90 days from the date of issuance of the permit, whichever occurs first, unless the temporary permit is extended upon a finding of good cause by the executive director.

ITEM 2. Amend rule 282—13.11(272) as follows:

282—13.11(272) Specific requirements for a Class B license. A Class B license, which is valid for two years and which is nonrenewable, may be issued to an individual under the following conditions:

13.11(1) No change.

13.11(2) Program of study for ~~special education endorsement~~. The college or university must outline the program of study necessary to meet the ~~special education~~ endorsement requirements for specified areas. This program of study must be attached to the application.

13.11(3) and 13.11(4) No change.

ITEM 3. Adopt the following new rule 282—13.20(272):

282—13.20(272) Permanent professional certificates. Effective October 1, 1988, the permanent professional certificate will no longer be issued. Any permanent professional certificate issued prior to October 1, 1988, will continue in force with the endorsements and approvals appearing thereon, unless revoked or suspended for cause. If a permanent professional certificate is revoked and if the holder is able at a later date to overcome or remediate the reasons for the revocation, the holder may apply for the appropriate new class of license set forth in this chapter.

ITEM 4. Amend rule 282—15.1(272) as follows:

282—15.1(272) Authorizations requiring a license.

15.1(1) The following licenses are based on teaching endorsements.

- a.* Special education consultant.
- ~~*b.* Itinerant hospital services or home services teacher.~~
- ~~*c.* Special education media specialist.~~
- ~~*d. b.* Supervisor of special education—instructional.~~
- ~~*e. c.* Work experience coordinator.~~

15.1(2) The following ~~licenses are~~ orientation and mobility specialist license is based on school-centered preparation, but the sequence of coursework does not permit service as a teacher.

- ~~*a.* School psychologist.~~
- ~~*b.* Speech-language pathologist.~~
- ~~*c.* School audiologist.~~
- ~~*d.* School social worker.~~
- ~~*e.* Orientation and mobility specialist.~~
- ~~*f.* Supervisor of special education—support.~~

ITEM 5. Rescind and reserve rule **282—15.3(272)**.

ITEM 6. Rescind and reserve rule **282—15.4(272)**.

ITEM 7. Amend rule 282—15.6(272) as follows:

282—15.6(272) Work experience coordinator.

15.6(1) No change.

15.6(2) *Program requirements.*

a. An applicant must hold a baccalaureate degree.

b. Content. The coursework must include:

(1) A course in career-vocational programming for special education students (if not included in the program for 5-12 endorsement).

(2) A course in coordination of cooperative occupational education programs.

(3) A course in career-vocational assessment and guidance of the handicapped for those with disabilities.

15.6(3) *Other.* An applicant must hold a special education endorsement—grades 5-12.

ITEM 8. Amend rule 282—16.1(272) as follows:

282—16.1(272) Statement of professional recognition (SPR).

16.1(1) The following are authorizations ~~requiring or permitting~~ that require or permit statements of professional recognition and licenses obtained from the professional licensure division, department of public health, or the board of nursing and that do not permit service as a teacher:

a. School audiologist.

b. School nurse.

c. School occupational therapist.

d. School physical therapist.

e. School social worker.

f. Special education nurse.

g. Speech-language pathologist.

16.1(2) No change.

ITEM 9. Amend rule 282—16.2(272) as follows:

282—16.2(272) School audiologist. If an applicant has completed a master's degree in audiology but has not completed the education sequence or chooses not to be certified, the applicant must obtain a license from the Iowa board of speech pathology and audiology, department of public health. Additionally, the person is required to obtain an SPR from the board of educational examiners. ~~Alternatively, a person may meet the requirements for an endorsement in this area as set forth in 282—Chapter 15.~~

16.2(1) *Authorization.* The holder of this statement of professional recognition ~~(or endorsement)~~ is authorized to serve as a school audiologist to pupils from birth to age 21 who have hearing impairments (and to a maximum allowable age in accordance with Iowa Code section 256B.8).

16.2(2) to 16.2(4) No change.

ITEM 10. Amend rule 282—16.6(272) as follows:

282—16.6(272) School social worker. A person who meets the requirements set forth below may be issued a statement of professional recognition (SPR) by the board of educational examiners. ~~Alternatively, a person may meet the requirements for an endorsement in this area as set forth in 282—Chapter 15.~~

16.6(1) *Authorization.* ~~An individual who meets the requirements of 282—subrule 15.7(4) or 16.6(2)~~ The holder of this statement of professional recognition is authorized to serve as a school social worker to pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).

16.6(2) to 16.6(4) No change.

ITEM 11. Amend rule 282—16.8(272) as follows:

282—16.8(272) Speech-language pathologist. If an applicant has completed a master's degree in speech pathology but has not completed the education sequence or chooses not to be certified, the applicant must obtain a license from the Iowa board of speech pathology and audiology, department of public health. Additionally, the person is required to obtain an SPR from the board of educational examiners. ~~Alternatively, a person may meet the requirements for an endorsement in this area as set forth in 282—Chapter 21.~~

16.8(1) Authorization. The holder of this statement of professional recognition ~~(or endorsement—see requirements set forth in 282—subrule 15.7(2))~~ is authorized to serve as a speech-language pathologist to pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).

16.8(2) to 16.8(4) No change.

ITEM 12. Amend rule 282—18.1(272) as follows:

282—18.1(272) All applicants desiring an Iowa administrator license.

18.1(1) No change.

18.1(2) Temporary permits. The executive director may issue a temporary permit to an applicant for any type of license, certification, or authorization issued by the board, after receipt of a fully completed application; determination that the applicant meets all applicable prerequisites for issuance of the license, certification, or authorization; and satisfactory evaluation of the Iowa criminal history background check and registries and records check set forth in 282—paragraphs 13.1(1) “b” and “c.” The temporary permit shall serve as evidence of the applicant's authorization to hold a position in Iowa schools, pending the satisfactory completion of the national criminal history background check. The temporary permit shall expire upon issuance of the requested license, certification, or authorization or 90 days from the date of issuance of the permit, whichever occurs first, unless the temporary permit is extended upon a finding of good cause by the executive director.

ITEM 13. Amend rule 282—18.14(272) as follows:

282—18.14(272) Endorsements.

18.14(1) No change.

18.14(2) The applicant must follow one of these options:

- a. Identify with a recognized Iowa administrator preparing institution, meet that institution's current requirements for the endorsement desired, and receive that institution's recommendation; or
- b. Identify with a recognized non-Iowa administrator preparation institution and receive a statement that the applicant has completed the equivalent of the institution's approved program for the endorsement sought. A transcript evaluation will also be required.

ITEM 14. Rescind and reserve **282—Chapter 21.**

ITEM 15. Amend rule 282—22.2(272) as follows:

282—22.2(272) Substitute authorization. A substitute authorization allows an individual to substitute in grades PK-12 for no more than 5 consecutive days and no more than 10 days in a 30-day period in one job assignment for a regularly assigned teacher who is absent, except in the driver's education classroom. A school district administrator may file a written request with the board for an extension of the 10-day limit in one job assignment on the basis of documented need and benefit to the instructional program. The licensure committee will review the request and provide a written decision either approving or denying the request. An individual who holds a paraeducator certificate without a bachelor's degree and completes the substitute authorization program is authorized to substitute only in the special education classroom in which the individual paraeducator is employed. For these individuals, the authorization will appear on the paraeducator certificate and will not include separate renewal requirements.

22.2(1) Application process. Any person interested in the substitute authorization shall submit records of credit to the board of educational examiners for an evaluation in terms of the required courses or contact hours. Application materials are available from the office of the board of educational examiners, online at <http://www.boee.iowa.gov/> or from institutions or agencies offering approved courses or contact hours.

a. Requirements. Applicants for the substitute authorization shall meet the following requirements:

- (1) No change.
- (2) Degree or certificate. Applicants must have achieved at least one of the following:
 1. Hold a baccalaureate degree or higher from a regionally accredited institution.
 2. Completed an approved paraeducator certification program and hold a paraeducator certificate.
- (3) and (4) No change.

b. Validity. The substitute authorization shall be valid for five years.

c. Renewal. The authorization may be renewed upon application and verification of successful completion of:

(1) Renewal units. Applicants for renewal of the substitute authorization must provide verification of a minimum of two licensure renewal units or semester hours of renewal credits.

(2) No change.

22.2(2) and 22.2(3) No change.

ITEM 16. Amend rule 282—22.9(272) as follows:

282—22.9(272) Requirements for the career and technical secondary authorization.

22.9(1) and 22.9(2) No change.

22.9(3) Specific requirements for the initial career and technical secondary authorization.

a. to d. No change.

e. Coursework requirements.

(1) Applicants must commit to complete the following requirements within the term of the initial authorization. Coursework must be completed for college credit from a regionally accredited institution.

~~1. A new teachers' workshop of a minimum of 30 clock hours and specified competencies, to be completed during the term of the initial authorization.~~

~~2. 1.~~ Coursework in the methods and techniques of career and technical education.

~~3. 2.~~ Coursework in course and curriculum development.

~~4. 3.~~ Coursework in the measurement and evaluation of programs and students.

~~5. 4.~~ An approved human relations course.

~~6. 5.~~ Coursework in the instruction of exceptional learners to include the education of individuals with disabilities and the gifted and talented.

(2) No change.

22.9(4) to 22.9(8) No change.

ITEM 17. Amend rule 282—27.1(272) as follows:

282—27.1(272) Professional service license. A professional service licensee is an individual prepared to provide professional services in Iowa schools but whose preparation has not required completion of the teacher preparation coursework set forth in rule 281—79.15(256). The professional service license may be issued in the following areas but does not permit service as a teacher:

1. School counselor.
2. School psychologist.
3. Speech-language pathologist.
4. Supervisor of special education (support).
5. Director of special education of an area education agency.
6. School social worker.

7. School audiologist.

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